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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 BARBARA STUART ROBINSON,

9 Plaintiff,

v.

10 DENNIS HOWARD BALL,

11 Defendant.

CASE NO. C17-5725 BHS

ORDER DENYING PLAINTIFF'S
MOTION TO PROCEED *IN*
FORMA PAUPERIS

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13 This matter comes before the Court on Plaintiff Barbara Stuart Robinson's
14 ("Plaintiff") motion to appeal *in forma pauperis* ("IFP"). Dkt. 34.

15 On March 13, 2018, the Court granted Defendant Dennis Ball's ("Ball") motion
16 for summary judgment and dismissed all of Plaintiff's claims based on absolute judicial
17 immunity. Dkt. 31. On March 13, 2018, Plaintiff filed the instant motion and a notice of
18 appeal. Dkts. 34, 35.

19 A party to a district court action who seeks to appeal IFP must first file a motion
20 with the district court that details the party's inability to pay, claims an entitlement to
21 redress, and states the issues that the party intends to present on appeal. Fed. R. App. P.
22 24(a)(1). If the court finds the appeal frivolous (that it lacks merit) it has the power to

1 deny leave to proceed IFP. *Hooker v. Am. Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002).

2 If the district court denies IFP status on appeal, the party may subsequently file a motion
3 to proceed IFP on appeal in the court of appeals. Fed. R. App. P. 24(a)(5).

4 In this case, the Court finds that Plaintiff's appeal is meritless. Ball is clearly
5 entitled to judicial immunity, and Plaintiff fails to offer persuasive arguments to the
6 contrary. Therefore, the Court **DENIES** Plaintiff's motion to appeal IFP.

7 **IT IS SO ORDERED.**

8 Dated this 17th day of April, 2018.

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11 BENJAMIN H. SETTLE
United States District Judge

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